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COMMONWEALTH OF VIRGINIA, ex rel.

**OLIVER D. RUDY, TRUSTEE OF
THE FINE CREEK LAND TRUST**

and

CASE NO. PUE010473

**THE REED'S LANDING CORPORATION,
Petitioners**

v.

**SOUTHSIDE ELECTRIC COOPERATIVE,
Defendants.**

**To seek sanctions for alleged abuse of authority
granted under § 56-49 of the Code of Virginia**

HEARING EXAMINER'S RULING

November 6, 2001

On October 30, 2001, Southside Electric Cooperative ("Southside"), by counsel, filed a Motion for Summary Judgment and Dismissal. Southside argues that the Petition should be found to be completely devoid of any legal basis or good faith argument, that the Petition should be found to be completely devoid of any factual allegations upon which a specific remedy could be granted, and that the Petition should be dismissed.

I find the Petitioners should be given an opportunity to respond to the Motion. Accordingly,

IT IS DIRECTED that the Petitioners shall file, on or before November 21, 2001, a response to the Motion for Summary Judgment and Dismissal filed by Southside.

Michael D. Thomas
Hearing Examiner